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The Richmond Climax.

WEDNESDAY, JUNE 29, 1898.

Big Insurance Case Settled—Important Facts For Policy-Holder's Consideration—

The White Heirs \$16,000.

The case of R. B. Burnham, executor of Charles Field White, deceased, vs. the Nederland Insurance Co., of Holland, to recover \$16,000 on the life of said White, was tried before Judge Barr at Frankfort last week. The case occupied the entire week, opening on Monday morning and closing on Saturday at 4 p. m. with a verdict by the jury for the plaintiff. The case will be reported.

The attorneys for the plaintiff were Hons. C. F. and A. B. Burnham, J. A. Sullivan and R. W. Miller of this city, and C. J. Brinson, of Lexington. The company was represented by Messrs J. Lewis Cobb and W. S. Moberly, of this city, and W. W. Thum, of Louisville.

Among the beneficiaries of the estate of Mr. White is his son, Mrs. Fann, of Newberry, S. C., who receives a half interest, and her friends in this State look this litigation with eventual termination in her favor.

The main point in the case, as claimed by the Insurance Company, were that in his application for insurance, Mr. White made material misrepresentations which voided the policy, and notwithstanding this, the company in good faith and to the best of Mr. White's knowledge and belief, their materiality was held as sufficient grounds for the Company's refusal to pay. But these fine points of equity failed as they greatly did before a jury, which takes the broad grounds that a company is responsible for its acts and the acts of its agents.

The victory under these circumstances, and considering that the Company's attorneys are confident they will eventually win, should suggest to all thoughtful men the danger that lurks in a suppression of the application of facts, intentional or otherwise, in their application for life insurance. To protect themselves from actual hazards Insurance Companies ask for vital statistics from the applicants for insurance. Questions are too often answered with careless regard to their importance, and at death take develop which reveal to the Companies greater C. S. than they were in the original applications. And here the trouble comes—the lawyers!

Moral—Tell the truth, everywhere, always, but especially when dealing with a life insurance company.

The following were the most important issues in the case:

1. In answer to the question in Mr. White's application on February 14, 1886, "what is the present condition of your health?" he answered, "Good." The Insurance Company denied the truth of this answer.

2. In answer to the question, "What live condition of the health of your living spouse, Mrs. Fann?" he answered "Good." The Company denied the truth of this answer.

3. In answer to this question "What physicians have you consulted and what complaints," Mr. White answered "None." The Company denied the truth of this answer.

4. In the application made before Dr. White's last death, a question "What has been your occupation?" Mr. White answered "Banker." The Company denied the truth of this answer.

5. Under the instructions of the Court if any one of the above answers were substantially untrue, the jury was instructed to find for the Insurance Company. The verdict of the jury shows that they found Mrs. Fann's health in 1886 to be good. Mr. White's health in 1886 to be good, that he had never consulted a physician, that no application to insure his life had ever been declined or postponed, and that he was a banker. There was considerable testimony introduced on both sides as to the condition of Mrs. Fann's health in 1886; also the condition of Mr. White's health then; also as to whether an application to insure his life had or had not been postponed or declined, etc. The above were the most important issues.

Glorious Children's Day.

(COMMUNICATED.)

Never since the foundation and establishment of the Children's Day celebration services has there been more successful one than the one held at the Providence Baptist church of Winston, N. C., Sunday. The services were such as to excite the envy of the wealthiest church in the State. At 9:30 Sunday school met at the Winston schoolhouse and formed into line for the march to the church. The children, dressed in their best, seemed, had put on her loveliest smile. The dewdrops were scintillating and throwing their slanting beams abroad over the land like so many diamonds glistening in the sun; while the distant mountains and neighboring hills were bathed in a perfect halo of glory. The gentle zephyrs of the west rustling through the leafy branches, fanning the brows of many fair maidens with their cool, refreshing breezes passed on into

the shady vales and beautiful glens, leaving a way for success behind them. "Twas mid this beautiful scene that the Providence Sunday School nearly 100 young students upon its march to the church. The flapping of sash-bands were proclaiming loyalty to Christ and the sweet strains of martial music allured the attention of the people and seemed to know their time and what he was doing in his house at that time in the morning. Failing to get an answer, Mr. Chennault advanced a step toward the unwelcome visitor, who, instead of retreating, came one step nearer with clenched fist ready for battle. Seeing the intruder's face the determination to fight, Mr. Chennault called the man a scoundrel, and possibly some other names that he does not remember since the excitement has quieted down, and asked how dared he intrude into his house? This did not seem, however, to worry the visitor, nor did he seem inclined to vacate the premises, and Mr. Chennault, realizing that their avoidances would be about equal, and the intruder's willingness to combat was not faltered by the vituperative names he had been called, he called to his wife, who had been confined to her bed for several days with inflammatory rheumatism, to bring him the poker, tongs, shovel or anything else that would make a weapon of defense, that a man was there in the hall. Mrs. Chennault hurried to her husband's rescue, and on entering the hall, prepared to take part in the battle, arrived in true woman's fashion, with the inevitable broom. Imagine her surprise and the relief of her husband, when she discovered the cause of the excitement—a large mirror, wherein her late husband's excited countenance was reflected back in all its innocent and unrecognizable deformity.

Col. A. T. Chennault's Experience With a Robber and a Looking Glass.

Col. A. T. Chennault, being an early bird, arose from his couch a few mornings since just as the light was gently stealing into his room and clothed himself for the day. On going out of the apartment he discovered a man in the hallway, and accosted him and asked to know his name and what he was doing in his house at that time in the morning. Failing to get an answer, Mr. Chennault advanced a step toward the unwelcome visitor, who, instead of retreating, came one step nearer with clenched fist ready for battle. Seeing the intruder's face the determination to fight, Mr. Chennault called the man a scoundrel, and possibly some other names that he does not remember since the excitement has quieted down, and asked how dared he intrude into his house? This did not seem, however, to worry the visitor, nor did he seem inclined to vacate the premises, and Mr. Chennault, realizing that their avoidances would be about equal, and the intruder's willingness to combat was not faltered by the vituperative names he had been called, he called to his wife, who had been confined to her bed for several days with inflammatory rheumatism, to bring him the poker, tongs, shovel or anything else that would make a weapon of defense, that a man was there in the hall. Mrs. Chennault hurried to her husband's rescue, and on entering the hall, prepared to take part in the battle, arrived in true woman's fashion, with the inevitable broom. Imagine her surprise and the relief of her husband, when she discovered the cause of the excitement—a large mirror, wherein her late husband's excited countenance was reflected back in all its innocent and unrecognizable deformity.

Col. Chennault has had the mirror turned toward the wall!

Commercial Club Means Business.

The Court House was filled with a very large crowd of citizens last Friday to hear the lecture by John D. New, of the Christian Church, on the address to the commercial club his subject being Industrial Prosperity. He was listened to very attentively for about an hour, and when commencing the address was greeted by hearty applause. Chairman Harris praised Mr. New's remarks and invited other speakers to come forward and address the Club. Mr. James Spaulder spoke about the good old prosperity times in Richmond a few years back and how to bring a return of same. Mr. C. C. Wallace addressed next speaking in more force, and moved that for all future meetings the time be limited to one hour, and a last George M. Wiggins asked the Chair if the permanent organization had been perfected. He then reminded the Club in a ten or fifteen minutes talk that the town of Richmond was founded on July 4, 1798, therefore next Fourth of July would be the one hundredth anniversary of Richmond and that it seemed to him the patriotic duty of the citizens of the city and county to take celebration fitting the occasion, and on his motion there was a committee of ten appointed, with Mr. Wiggins as Chairman, to devise ways and means to have the celebration a success.

Riddle-Shelby Wedding.

The following account of the Riddle-Shelby wedding was taken from Lexington Argonaut of June 22: Miss Alice McDowell Shelby, daughter of the late Mr. Thomas Shelby and Florence McDowell, and granddaughter of Governor Isaac Shelby, Kentucky's first Chief Executive, was married yesterday afternoon at sunset to Mr. Hugh Riddle, a prominent lawyer of Irvine, Ky. It was a home wedding at the sweet villa residence on Ashland Avenue, and Dean Lewis, of the Cathedral, read the lines. The rooms were decorated with palms, ferns and bubble plants, with little gardens of box-wood stars and beautiful Ivy and rhododendron, fern leaves and sweet peas, clustered on mantels in harmonious variety, and the superb weather made the ceremony a picture to be remembered with joy.

Miss Wille Shelby held the ribbons at the coming of the tall, dark-eyed bride, who entered with her mother. The bridegroom and best man, his brother Mr. Elliott Riddle, of Louisville, closed in at the altar. Mr. Edmund Shelby played the wedding march. The wedding gown was of Paris muslin over white tulle, worn with tulle veil and bride roses. Only a few friends were present.

From a distance were Mr. Lahan Riddle, of Mt. Sterling; Mr. Mann, of Paris; Mr. and Mrs. Friend, of Paris; Mr. Robert Bergman, of Irvine; Miss Ross Pickett and Dr. Pickett, of Mayville.

After the ceremony the pair departed on their wedding journey, followed by congratulations and blessings, and on their return they will reside at Irvine.

Madison County Fiscal Court.

In Re calling in R. N. L. & B. railroad bonds of Madison County, Ky., and issuing and selling new Madison county bonds to pay for same.

The question of calling the Richmond, Nicholasville, Irvine and Hartsville Railroad Bonds of Madison County, Ky., and of issuing and substituting therefor new bonds of said county, having been submitted to this court, and it appearing that the said R. N. L. & B. bonds given by the said court will on August 1st, 1898, call in all of the said R. N. L. & B. Madison county bonds and will on said August 1st, 1898, order that new bonds on Madison County, Ky., be issued and sold and the proceeds of the sale of same be to the payment of the old bonds thus called in.

Notice of this court's contemplated action in this bond matter as above set forth, was given by the publication of a copy of this entire order in the columns of the Kentucky Register and in the columns of the Richmond CLIMAX in their weekly issues for four consecutive issues of each of said papers, and by printed posters posted at the most public places in each voting precinct of Madison County, Ky., for at least thirty days before said August 1st, 1898.

STATE OF KENTUCKY, }
County of Madison, }
J. J. F. White, Clerk of the County

County of Madison, }
J. J. F. White, Clerk of the County
and county aforesaid certify that this is a true copy of the order as appears in my office.

Given under my hand this 23rd day of June, 1898.

J. J. F. WHITE, C. C. C.

John M. Atterton, was chosen a director of the L. & N. in place of John D. Taggart, of Louisville, deceased.

At Milan, Tenn., John S. Jones, while drunk, fatally stabbed his half brother, who was trying to take him home.

The present term of the Jessamine circuit court sent 13 convicts to the penitentiary.

The president has nominated Desha B. Rogers, of the Lexington Herald, to be second lieutenant of volunteers.

Admiral Sampson is at last in direct communication with Washington through the repaired cable from Guantanamo.

It is estimated that \$1,400,000 a year will be derived from the special tax put on express companies on account of the war.

The State Department acknowledges that it was misinformed about General's fleet and that the fleet has not returned to Cadiz.

Shot in a Horse Thief.

LEXINGTON, Ky., June 27.—(Herald.) A well known farmer of this county, saw an unknown man open his carriage house, look up his wagon and away. Carr. waited until he returned when he saw the man and stopped him. The unknown man fled twice at Carr. one shot taking effect in his thigh. He is not seriously hurt. There is no clue to the Chief except that he is a Negro.

Prof. Trimble Called to Chicago.

RUSSELLVILLE, Ky., June 27.—Prof. Henry Leiland Trimble, of this place, has been offered and will accept an instructorship in history, at the University of Chicago. Prof. Trimble was formerly professor of history in Beloit College, and at the annual faculty election held recently he received a flattering vote for president of that institution.

Negro Hung by a Mob.

RUSSELLVILLE, Ky., June 27.—Geo. Scott, a Negro, about 40 years old, who had been in jail here for several weeks on a charge of attempting to rape Mrs. Wm. Scroggins, who lived near Adairville, was hung by a mob about 10 o'clock Sunday morning. The mob made resistance whatever. The jailer was overpowered.

Residence Submerged.

VERMILION, Ky., June 27.—This county was visited early Sunday morning by a terrific rain storm, which caused water courses out of their banks and did considerable damage to crops and gardens. All lowlands were submerged. Several dwellings on the lower edge of Versailles were partially under water.

Damage Amounts to Thousands.

FRANKFORT, Ky., June 27.—The heaviest rain for years fell in this county Sunday morning from 1 to 7 o'clock. The damage to fences and crops will amount to several thousand dollars. The Kentucky river at this point rose five feet during the day, and is still rising.

Death of Warren Walker Hines.

BOWLING GREEN, Ky., June 27.—Warren Walker Hines, aged 96 years, died at the home of his daughter, about two miles from this city. He was the father of the late Chief Justice Thomas Hines. He was of Hon. Edward W. Hines, the well-known lawyer.



Dewey, Sampson, Schley, Hobson

Or any of those sea-going skippers on the water, nor is this picture produced here through vanity, but to call attention to this advertisement, and the fact that

D. P. ARMER,

The Old Reliable Main Street Jeweler, is still behind his counters, where he has been for over 31 years. In the good old town of Richmond, and still ready to serve on his old customers and as many new ones as will favor him with their patronage. His stock is being added to constantly, and you will find you can get goods cheaper and better than any other place. Anything he sells you is just as represented, and you can rely on it. Give him a call and encourage home trade.

Volunteers Wanted!

Not for war, but to join our army of customers. We are now offering many great bargains in Corsets, Black and Colored Dress Goods.

WASH GOODS

Our line of Wash Goods is complete and at most attractive prices.

In Organadies, Lawns and Dress

Linens we lead the town.....

White -&- Gibson.

Will Keep Their Families

On Ice This Summer.

MESSRS. D. B. Shackelford & Co. have received a large assortment of refrigerators and cold storage ice boxes which they are hustling off at your own price. They are indispensable articles. Ice is nice but only once or twice will you buy it just to see it melt away in the warmth of summer without a refrigerator or ice box to keep it and to keep your milk, butter, meats, etc. cold, fresh and sweet. Drop in and see the styles of boxes before the stock is picked over.....

D. B. Shackelford & Co.,

Successors to Shackelford & Gentry, RICHMOND, KY.

From Rowell's Newspaper Directory.

"The Richmond, Ky., CLIMAX, weekly, is credited with the largest circulation according to any paper in Richmond or in Madison County or in the Eighth Congressional District."

The only paper in Madison County which supports all the Democratic nominees, from President to Constable.

SUBSCRIPTION, \$1.25 In Advance.